

Exhibit A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FELIPE RODRIGUEZ,

Plaintiff,

-against-

THE CITY OF NEW YORK, METROPOLITAN
TRANSPORTATION AUTHORITY, LONG ISLAND
RAIL ROAD COMPANY, JOHN BEISEL, in his
individual and official capacities; THOMAS SULLIVAN,
in his individual and official capacities; CHARLES
WENDEL, in his individual and official capacities; JERRY
FENNEL, in his individual and official capacities; JOHN
CALIFANO, in his individual and official capacities;
JOHN WILDE, in his individual and official capacities;
GEORGE ZAROOGIAN, in his individual and official
capacities; and OTHER AS-YET-UNKNOWN POLICE
OFFICERS & SUPERVISORS JOHN and JANE DOES #
1-10

Defendants.

**PLAINTIFF'S FIRST
SET OF
INTERROGATORIES
AND REQUESTS FOR
THE PRODUCTION OF
DOCUMENTS**

21-cv-1649 (AMD)(RLM)

Pursuant to Rules 26, 33 and 34 of the Federal Rules of Civil Procedure, and Local Rule 26.3, Plaintiff Felipe Rodriguez (“Plaintiff”) requests that Defendants the City of New York, John Beisel, Jerry Fennel, John Califano, John Wilde, and George Zaroogian answer under oath the following Interrogatories and produce for inspection and copying the documents specified herein, at the offices of ZMO Law PLLC, 260 Madison Ave., Fl. 17, New York, New York, 10016, except with respect to Request 4, for which Plaintiff requests physical access to the documents for the purpose of inspection and copying, within 30 days after service hereof.

DEFINITIONS AND INSTRUCTIONS

The following definitions and instructions apply to each of the Interrogatories and Requests set forth below and are deemed to be incorporated therein except to the extent a particular Request may contain contrary definitions and instructions.

- A. In answering the following Interrogatories and responding to the following Requests (collectively the "Requests"), you shall furnish all information that is available to you, including information in the possession, custody, or control of your attorneys, accountants, employees, investigators, experts, representatives, or other agents or servants.
- B. All documents that respond, in whole or in part, to any portion of any Request, shall be produced in their entirety, together with all attachments, enclosures, drafts, and non-identical copies.
- C. Questions regarding the interpretation of these Requests should be resolved in favor of the broadest possible construction.
- D. If the answer to all or any part of an Interrogatory is not presently known or available, include a statement to that effect and furnish any information currently known or available as well as an explanation of the information that was once known or available and why it is not now known or available.
- E. These Requests shall be deemed continuing so as to require further and supplemental production by Defendants in the event they discover or obtain additional information or documents between the time of initial production and the time of hearing or trial.
- F. If any information or document is withheld based upon a claim of privilege, state with specificity the information required by Local Rule 26.2.

G. Where any Request calls for the identification or production of electronically stored documents, a complete forensic or forensic-type search is to be performed by an individual with access to all centrally stored electronic data, in addition to any other search performed for such material.

H. Where any Request calls for documents or information that either never have been, or presently are not, in existence, indicate so in the relevant response.

I. Plaintiff incorporates by reference the Uniform Definitions in Discovery Requests set forth in Fed. R. Civ. P. 34(a) and Local Rule 26.3.

J. The term "Incident" refers to the events described in Plaintiff's Complaint.

K. In the event that a document called for by these Requests has been destroyed, lost, discarded or otherwise disposed of, any such document is to be identified as completely as possible, including, without limitation, the following information: date of disposal, manner of disposal, reason for disposal, person authorizing the disposal and person disposing of the document.

L. All documents that respond, in whole or in part, to any portion of any Request, shall be produced in their entirety, together with all attachments and enclosures.

M. These Requests cover all documents in the possession, custody and control of Defendants, whether they are located in Defendants' offices or in the residence or office of any officer, director or agent (including accountants and attorneys) of the individual defendants.

INTERROGATORIES

1. Identify all witnesses upon whose affidavit or testimony Defendants will rely to controvert any matter alleged in Plaintiff's Complaint, substantiate any matter alleged in

Defendants' Answer, or support any affirmative defenses Defendants have asserted or may assert, and provide each witness's current address and telephone number.

2. Set forth the present location of all notes made by any defendant regarding the Incident or the subsequent investigation, including all detective notebooks, including, but not limited to, the physical location of the original notebooks containing the entries appended to this set of Interrogatories and Requests for the Production of Documents as Exhibits A through I.

3. Provide the full name and contact information (including phone number, email, and address) of Louis Vega, NYPD Scientific Research Division, who conducted the polygraph examination of Robert Thompson on or about March 1, 1988.

4. Identify all homicide investigations in which Det. John Beisel assisted or was assigned as a detective, by providing the name of the victim, the date on which the homicide occurred (or was discovered), the name of the defendant (if any), the NYPD case number, and the court and docket number if a defendant was prosecuted.

5. Identify the present location of the tape recording of the interview of Robert Thompson by Thomas Sullivan and Charles Wendel on or about March 17, 1988, at the LIRR PD HQS Audio Video Section in Hollis, Queens, New York, concerning the Maureen Fernandez murder investigation.

6. Identify any and all trials, grand jury proceedings, criminal hearings, or other proceedings in which the Queens County District Attorney's Office or any other instrumentality of the State of New York or City of New York called Robert Thompson as a trial witness by setting forth the date and location of the proceedings, the name and docket number of the case, and the name and full contact information of the assistant district

attorney or other New York City employee responsible for presenting the testimony and/or examining Mr. Thompson as a witness.

SPECIFIC DOCUMENT REQUESTS

1. The complete file or files of the New York City Police Department ("NYPD") and of the Queens District Attorney's Office ("QDAO") concerning the investigation of the murder of Maureen Fernandez and/or the prosecution of Felipe Rodriguez, from November 26, 1987, through the present, including pre-trial and trial proceedings, sentencing, direct appeal, FOIL requests, response and litigation, CPL 440 motions, and federal habeas corpus proceedings. This Request includes, but is not limited to, the following: notes, notebooks, memo book entries, reports, emails, correspondence, press releases, teletypes, text messages, memoranda, DD5 reports, wanted posters, medical records, oral or video recordings, 911 tapes, SPRINT reports, photographs, drawings, physical evidence of any kind, lab reports, Medical Examiner's reports, subpoenas, receipts, returns on subpoenas, material witness applications and orders, orders to produce, requests for recognition, diary entries, calendar entries and logs, receipts or correspondence regarding *Rosario, Brady* or other evidence disclosures, Voluntary Disclosure Form, and other documents.

2. All documents, including emails, encompassed by the previous Request, in the possession, custody or control of the following individuals or offices:

- A. Queens County District Attorney's Office;
- B. New York City Police Department;
- C. John J. Santucci, Queens County District Attorney (1977 to 1991);
- D. Robert J. Masters, QDAO;

- E. Alan Safran, QDAO;
 - F. David Dikman, QDAO;
 - G. Steven Zissou, QDAO;
 - H. Robert Alexander, QDAO;
 - I. Jerome LoVerdi, QDAO;
 - J. John Beisel, NYPD;
 - K. Jerry Fennel, NYPD;
 - L. George Zaroogian, NYPD;
 - M. John Wilde, NYPD;
 - N. John Califano, NYPD;
 - O. Michael Pafitis, NYPD;
 - P. FNU Hickman, NYPD;
 - Q. Roy Zinkiewicz, NYPD;
 - R. The QDAO's and NYPD's Public Information and press offices.
3. All documents of or maintained by the NYPD and/or QDAO concerning:
- A. **Javier Ramos**, including, but not limited to (i) his interactions with employees of the NYPD or QDAO from November 1987 through June 1990; (ii) his cooperation with the NYPD and/or QDAO relating to the investigation of Maureen Fernandez murder and/or the prosecution of Felipe Rodriguez; (iii) his cooperation with the NYPD and/or QDAO on any other matter; (iv) material witness applications, orders, returns, and/or court transcripts; (v) documents submitted in connection with his

application to become a member of the NYPD; (vi) documents related to his service as an auxiliary police officer with the NYPD.

- B. **Richard Pereira**, including, but not limited to, (i) police and QDAO records related to his arrest on or about September 10, 1988; (ii) police and QDAO records related to any other arrest or prosecution for unlawful or criminal behavior; (iii) his cooperation with the NYPD and/or QDAO relating to the investigation of Maureen Fernandez murder and/or the prosecution of Felipe Rodriguez; (iv) communications to or from Pereira and the QDAO and/or police relating to the prosecution of Felipe Rodriguez and/or the investigation or reinvestigation of the Maureen Fernandez murder.
- C. **Robert Thompson**, including, but not limited to, (i) police and QDAO records related to his conviction on or about May 3, 1989, including records related to his arrest and prosecution; (ii) police and QDAO records related to his conviction on or about September 11, 1989, including records related to his arrest and prosecution; (iii) police and QDAO records related to any other conviction or arrest; (iv) communications with outside agencies concerning his cooperation, testimony, or release or imprisonment, including, but not limited to, the New York City Department of Correction, New York State Department of Correctional Services, New York State Division of Parole, New York City Department of Probation, or any other corrections agency or facility in New York City or the State of New York; (v) payments to

him or on his behalf or other benefits provided to him by the police or QDAO; (vi) communications concerning him with his attorney, legal representative, or any court.

4. The notebooks and memo books of all NYPD detectives, officers, sergeants, captains and other NYPD employees or agents who investigated the murder of Maureen Fernandez or assisted in the investigation, including, but not limited to, the notebooks containing the entries in Exhibits A through I appended to this set of Interrogatories and Requests for the Production of Documents.

5. The video tape recording of the interview of Robert Thompson by Thomas Sullivan and Charles Wendel on or about March 17, 1988, at the LIRR PD HQS Audio Video Section in Hollis, Queens, New York, concerning the Maureen Fernandez murder investigation.

6. The NYPD and QDAO "informant" files for Robert Thompson, Javier Ramos, and Richard Pereira.

7. All subpoenas, material witness orders, *Damiani* orders, requests in lieu of subpoenas, orders to produce, *ex parte* orders (including supporting applications for such subpoenas and orders), concerning the investigation of the murder of Maureen Fernandez, and the investigation and/or prosecution of Plaintiff.

8. The full and complete NYPD and QDAO files concerning murder investigations for which Jack Beisel was assigned as a detective, in which either (a) a defendant gave a confession, (b) an out-of-court identification procedure took place, or (c) a witness gave a statement accusing a defendant of murder, including pre-trial and trial proceedings, sentencing, direct appeal, FOIL requests, response and litigation, CPL 440

motions, and federal habeas corpus proceedings. This Request includes, but is not limited to, the following: detective notes, memo book entries, reports, e-mails, correspondence, press releases, teletypes, text messages, memoranda, DD5 reports, wanted posters, medical records, oral or video recordings, drawings, diary entries, calendar entries and logs, receipts or correspondence regarding *Rosario*, *Brady* or other evidence disclosures, Voluntary Disclosure Form, and other documents.

9. All documents and other evidence documenting disclosures that were made to Plaintiff or his defense counsel prior to or during his trial of discovery pursuant to CPL Art. 240, *Rosario* material, and/or *Brady*, *Giglio* or *Vilardi* material.

10. The complete personnel files of John Beisel, Jerry Fennel, John Wilde and John Califano, and George Zaroogian.

11. All allegations, investigations, findings and/or discipline concerning John Beisel, Jerry Fennel, John Wilde, John Califano, and/or George Zaroogian, maintained by the NYPD or any other City agency including, but not limited to, the complete files of the Civilian Complaint Review Board, Central Personnel Index, and Command Discipline, as well as all civil lawsuit complaints and/or documentation of criminal investigations or prosecutions, which concern or contain allegations of false arrest, malicious prosecution, evidence manufacturing or fabrication, perjury, false statement, abuse of process, civil rights violations, coercion of witnesses, excessive force, violations of due process or the right to a fair trial, or otherwise concern their honesty, integrity, or credibility.

12. All records maintained by the QDAO of allegations, investigations, findings, or discipline concerning Alan Safran and David Dikman, including, but not limited to, allegations of false arrest, malicious prosecution, evidence manufacturing or fabrication,

perjury, false statement, abuse of process, civil rights violations, coercion of witnesses, violations of due process or the right to a fair trial, or otherwise concern such individual's honesty, integrity, and/or credibility.

13. All documentation of any payments made or other benefits provided to any witness, potential witness, or informant, for any purpose, by Defendant Thomas Sullivan, including receipts for such payments, in connection with the Incident and/or Maureen Fernandez murder investigation.

14. All statements alleged to have been made by Plaintiff concerning the subject matter of this lawsuit, including, but not limited to, written statements, or those recorded by mechanical, electrical, audio, or computerized means, or a transcription of it that recites substantially verbatim the statement.

Dated: New York, New York
August 11, 2021

ZMO LAW PLLC

BY: /s/ Zachary Margulis-Ohnuma
ZACHARY MARGULIS-OHNUMA
260 Madison Avenue, 17th Floor
New York, NY 10016
(212) 685-0999

Attorneys for Plaintiff Felipe Rodriguez

Exhibits

would got to clear out th floors - Perfectly
Around 8-830 AM

J.D photo - male with mustach in photo
with MAUREEN - (prisoner)

CARS:

SIERRA

Sold Rafa ~~Sierra~~ his CAR - white
AROUND 2/88^{2/11/88} - all white - painted
top ppd Oct - 1987 - shabby - yellow.

Brock - 76 - Black - was green 2/11/88 ~~gold~~ ASY-901

Only heard of incident from Prof.
about 5 yrs ago - not all all before.

Had common law wife Doris Sanchez,
750 Driggs Ave - Apt #3 1st floor. - Now in
NJ. Separated March 1988.

Ramos lives with his mother. 1/25/88
went straight home. Left work Around
12m.

has ^{heavy} ^{nugget looking} ^{3 fingers}
cold ring on left hand - Red stone
gold watch.

- Ng - ongoing to White Shell Bar,
Kichie Periera m/f. Temper. 5'2" 30 yrs,
short stocky

Ng - weapons:



PLAINTIFF'S
EXHIBIT

A



Painted Roof with spray gun.

Prior to Richie using the car.

Painted it in October:-

Rio. Registered cars for insurance
purposes

Grace Cesnaskas - white Shutter

Tor Castillo - Cat's eye Bar

Address [REDACTED]

PLAINTIFF'S
EXHIBIT

B

QDA 923

2/14/88

Kathy wanted to go and get something
dry, George said go ahead and take her.

Did no other incidents with Kathy

She was stopped off time. Does not
know where he took her for the drys.

Never made any passes at Kathy.

The Rodriguezes - 293 Cousins

Betty's Twin sister

Party was two houses to left of
George house.

Did not go to funeral 5/1/88 - Saw
with him & Betty.

After his accident - W. Manhattan - Area where Nina had
Died not true

4/11/88 1418-1432 1189 Gates

Joe Castello - Bartender - viewed
Photo array - Picks out #2 - Photo
of C Ruiz. Places a rating of 6/100
of P10 as being the person the deceased
was with the morning of 4/26/88 - Gates
Av Bar.

RODRIGUEZ SHOWED UP AT RAMOS'
HOUSE 6 AM THANKS GIVING MORNING
WITH M/B FRIEND;

25 yrs.
5'11"
DK SKINNY BLACK

PLAINTIFF'S
EXHIBIT

D

FR_002754

W W

OF MAUREEN FERNANDEZ'S SEROLOGY/
TOXICOLOGY REPORT.

SAT. 02/20/88

1010hrs - 102 COVERT ST. BKLYN. RE-INTERVIEWED WILLIAM PERRY. HE SAID HE IS ALMOST CERTAIN THAT THE CAR HE SAW WAS A 1977 BLACK MONTE CARLO - CHROME MAGS - NOT SPOKES WHITE LETTERING ON TIRES. WINDOWS WERE DARK TINTED ALL THE WAY AROUND. CAR VERY CLEAN. COULD NOT SEE IN CAR.

MALE: M/W (NOT HISPANIC) ITALIAN OR IRISH. EARLY 30's 5'7" 160 LBS. MEDIUM BUILD - HAZEL OR GREEN EYES - SLIGHT MUSTACHE. HE DID NOT SPEAK MUCH BUT APPEARED TO BE A GENTLEMAN TO WILLIE. WILLIE SAID THAT NINA DID ALL THE TALKING - DID NOT LET THE MALE TALK MUCH. WILLIE FELT THAT NINA DID NOT KNOW MALE WELL

PLAINTIFF'S
EXHIBIT

E

QDA 906

TUES. 03/01/88

ON TUESDAY MARCH 01, 1988 I
RECEIVED THE SUM OF TEN DOLLARS
(\$10.00) FROM DETECTIVE T. SULLIVAN
OF THE LIRR POLICE. THIS MONEY
WAS RECEIVED FOR MY COOPERATION
IN THE FERNANDES HOMICIDE
INVESTIGATION. X Robert Thompson

PLAINTIFF'S
EXHIBIT

F

QDA 3439

03/17/87

On Thursday March 17, 1988 at 12:25PM
I was given a total of \$10.00 by Det.
T. Sullivan of the LIRR Police Dept.
This \$10.00 was given to me for my
ongoing assistance in the Fernandes
Homicide (Re; DD#1650-87).

X Robert Hayes



The Long Island Rail Road

INCIDENT NO. #15450-87

POLICE DEPARTMENT

REFERENCE DD# 1650-87

TO: ALL TOURS : ALL SUPERVISORS Date: 11/26/87
From: Detective Charles Wendel #153 AUTHORITY: CAPTAIN P. LOVERSO
Subject: Special Request For Checks In Area Of 66-35 Otto Rd., Glendale

It is requested that the 4pm by 12Mid and the 12Mid by 8am tour make checks of the Fresh Pond area in the area of 66-35 Otto Road: Dubovsky. The checks are requested due to a F/W homicide victim being found in the rear of 66-35 Otto Road at approx. 0830 hours this date.

It is requested that stop and frisks be made out on anyone found in and about the area. A special attention to be given for locating and identifying a white vehicle ,possibly a Cadillac,Pontiac,Oldsmobile,seen in the area in the past. The only description of the operator of the vehicle is a M/W with a mustach.

Special checks should be made of the area between 0300 hours and 0700 hours.

Any questions concerning this request should be directed to Detectives Sullivan and Wendel.

NOTE: Exact location of the homicide victim was in the parking area of the LIRR Fresh Pond Yard in the rear of 66-35 Otto Road.

A supervisors report or an officers report will be made identifying all stops made with their locations and time of stops. This will be forwarded to Detectives Sullivan and Wendel by 8:00 am , 11/27/87

Detective Charles Wendel

AUTHORITY : P. LOVERSO, CAPTAIN OF POLICE

PLAINTIFF'S
EXHIBIT

G

QDA 806

The Long Island Rail Road

INCIDENT NO. _____

POLICE DEPARTMENT

REFERENCE _____

TO: Capt. P.J.Loverso
From: Det. T.F.Sullivan Sh.#134
Subject: Inc.#87-15450, DD#87-1650

Date: Tues. 01/12/88

The undersigned Officer and Det.Wendel are currently investigating the murder of a Maureen Fernandes.Victim was found stabbed to death in the Fresh Pond yard,behind Dubovsky's warehouse, on the morning of Thurs. November 26,1987 at about 9:00AM..As of this date the undersigned has accumulated approximately 32 hours overtime and Det.Wendel has accumulated approximately 15 hours as a result of this ongoing investigation.

This investigation is currently centered around a subject that the victim was seen leaving a bar with,Gates Bar located at 1189 Gates Ave. Bklyn.,at approximately 3:30AM on the morning of Thurs.November 26,1987. The Queens Medical Examiner(Dr.Charles)places the victim's time of death between 4:00AM/7:00AM.In addition to this subject the undersigned and Det.Wendel are also investigating the husband of the victim-Carney Fernandes.As of this date this investigation of Carney has revealed that he has a violent temper and has been known to assault female companions in the past.Case is active and pending.

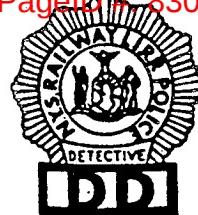
Respectfully submitted,

Det. T.F. Sullivan #134

Det. T.F. Sullivan Sh.#134



POLICE DEPARTMENT
The Long Island
Rail Road



March 30, 1988

TO: Crime Stoppers Unit - New York City Police Department

FROM: Long Island Railroad Police Department - Detective Div.
Detectives Thomas Sullivan #134 and Charles Wendel #153

SUBJECT: Information For Release RE: Maureen Fernandes Homicide
UF-61#15,777-87 LIRRDP Case# 1650-87

The following is a list of items concerning the Maureen Fernandes homicide which should be included in the Crime Stoppers presentation.

1. Date of occurrence was Thanksgiving morning , Thursday, November 26, 1987,

2. The body was discovered at approx. 8:45am in the rear of Dubovsky's warehouse located at 66-35 Otto Road in Glendale, New York,. The body was lying in the parking lot of the Long Island Railroad freight yard which is known as "Pond Yard",

3. The victim was identified as Maureen Fernandes a female white 35 years of age. She is also kown to her friends as "Nina".,

4. Ms. Fernandes was stabbed to death. She had in excess of 35 stab wounds about her body,

5. Ms. Fernandes is 5'3" tall , 117 lbs., had medium length brown hair and hazel eyes. At the time of her death she was wearing: Beigh jacket , pink tee shirt with the name "NINA" on the back and the works "THEY MAY BE LITTLE BUT THEY'RE ALL MINE" PRINTED ON THE FRONT , Bluejeans , sneakers,

6. Ms. Fernandes was married and had two children,

7. On Tuesday, November 24, 1987 Maureen Fernandes had brought her daughter to Wyckoff Hospital in Brooklyn where she was admitted to the pediatrics ward. Maureen Fernandes stayed with the child at the hospital,

8. According to witnesses Maureen left the hospital sometime around 1:00 - 1:30am the morning of Thanksgiving - Thursday, November 26, 1987-,

9. Around 2:00am Maureen arrived at the "Little Liva Inn" located at 1189 Gates Ave. in Brooklyn. She arrived with a male white who was unkown to the patrons,

QDA 808

(2)

10. Maureen departed the bar with the same individual. This male is described as:

Male white - 28 - 32 Yrs old -
5'9" Tall - 150 - 160 Lbs - Short
Brown or Dark Colored Hair - Well
dressed - Described by some patrons as
being Italian looking or light skinned
Hispanic.

11. It is believed that they arrived and departed in what is described as a Mint condition Black Monte Carlo - 1976 or 1977 - Tinted windows.

12. We are attempting to locate this individual to interview him regarding to his knowledge of Ms. Fernandes and her whereabouts before they arrived and after they departed the bar,

13. Maureen was a very friendly person but would not hang out with total strangers,

14. Maureen was very family oriented and was loved by her husband, children and family,

15. As far as the family and friends knew she did not have any enemies,

16. Maureen had worked at "Suzette's children clothing store on Fulton Street in Brooklyn,

17. During the investigation an anonymous call was received from a resident of the Glendale area giving some information which was important to the investigation. We are pleading with this person to call again so that as much information as possible can be gained about this murder,

18. ANYONE WITH ANY INFORMATION SHOULD CONTACT TIPPS , THE LONG ISLAND RAILROAD POLICE DEPARTMENT DETECTIVE DIVISION AT 1-718-217-3300 OR 3334 OR THE 104 PCT DETECTIVES AT 1-718-417-2212. ALL CALLS WILL BE KEPT TOTALLY CONFIDENTIAL.

19. Case officers:

LIRR-PD Detective Thomas Sullivan
Detective Charles Wendel
104 PDU Detective Jack Biegel

Detective Thomas Sullivan
LIRR-PD Detective Division



The Long Island Rail Road INCIDENT NO.

POLICE DEPARTMENT

REFERENCE

TO: Capt. P.J.Loverso

Date: Sat. 09/10/88

From: Det. T.F. Sullivan Sh.#134

Subject: Fernandes Homicide (DD#1650-87) Case Update

For File
JFKAU 9/13/88

On Friday September 09, 1988 this Officer, Detective Wendel along with Detective's Beisel, Fennel of the 104 PDU conducted an interview of Wyckoff Hospital Security Guard Javier Ramos at the 104 PDU. Mr. Ramos, who resides at [REDACTED] Bklyn., NY had arrived at the precinct to inquire about the impounding of a vehicle that he had sold to a friend of his.

Said vehicle, a 1978 white and red Oldsmobile Toronado, was sold by Ramos to a friend Pete Sierra of 311 Stanhope St. Bklyn., NY in March of 1988. Ramos informed us that his "friend" Sierra was annoyed that his car had been taken by the police and he wanted to know why the car had been impounded at the 104 Pct. on Wednesday September 07, 1988.

It had been ascertained during this investigation that this vehicle may have been used during the commission of the murder of Maureen Fernandes on Thanksgiving morning 87' in that Dubovsky's security guard R. Salony of 58-55 43rd Ave. Woodside, NY had seen a similar vehicle drive past him on Otto Rd. during the early morning hours of Thanksgiving 87'.

Prior investigation had revealed that there were "rumors" circulating about the Wyckoff Hospital that the victim (Fernandes) had been seen leaving the hospital with a security guard from that hospital. Investigation revealed that Ramos was the only security guard at the hospital who in fact owned a white car.

On Thursday August 25, 1988 this Officer and Detective Groteke escorted security guard R. Salony to the area where the subject vehicle was parked on the street at Wyckoff Ave. & Stanhope St. Bklyn.. Subsequently Salony informed the undersigned that the vehicle he had seen on the morning of Thanksgiving 87' was all white and that this did not appear to be the car (subject vehicle had a red landau roof and red door molding). I then asked Salony that if this vehicle had an all white roof and white door moldings would it be possible if this might be the car. On a scale of 1 to 10, 10 being positive, he scored the car an 08 as possibly being the car.

The in depth interview of Javier Ramos this date revealed the following;

That on Wednesday November 25, 1987 he was working at the Wyckoff hospital on a 4X12 tour. At approximately 8:30PM he received a call from a fellow security of his who he identified as a Richard Pereira. Pereira had asked Ramos if he could borrow his car (subject vehicle) for about 02 hours and said it would be OK. Soon afterwards he, Pereira, came to the hospital and picked up the car. Ramos went on to state that he did not see Pereira or his car until Thanksgiving morning at 6:00AM when his car was returned to him by Pereira. Said car was returned to him at his residence at 528 Knickerbocker Ave..

Pereira told Ramos at this time that he was sorry that he had kept his car so long

QDA 805



The Long Island Rail Road

INCIDENT NO. _____

POLICE DEPARTMENT

REFERENCE _____

TO: Capt. P.J.Loverso

Date: Sat.09/10/88

From: Det. T.F. Sullivan Sh.#134

Subject: Fernandes Homicide (DD#1650-87) Case Update

Details Continued:

and that he would make it up to him. He also told Ramos that he had a fight with a woman and that he had to stab the bitch, she was a low life and that he had to do it. A conversation ensued about the incident at which point Pereira left Ramos' house. In a reinterview of Ramos at this time he recanted some portions of his statements. For additional information see the attached typed statement that was signed by Ramos.

As a result of the preceding information Richard Pereira was picked up in front of his residence at 151 Moffat St. Bklyn. and transported to the 104 PDU where 03 separate line-ups were eventually conducted. Said pickup was made at about 1740hrs. Friday 09, 1988.

Line-ups were viewed by the following persons;

#1. William Perry M/B [REDACTED] yrs DOB [REDACTED]

[REDACTED]
Address [REDACTED]

(patron of Little Liva Bar)

#2. Joseph Castillo M/B

[REDACTED]
Address [REDACTED]

(Bartender of Little Liva Bar)

#3. Grace Cesnauskas F/W

[REDACTED]
Address [REDACTED]

(Barmaid of White Shutter Bar)

All 03 line-ups were met with negative results though Castillo stated that subject #02 (Pereira) looked somewhat like the male he had seen Fernandes with at the bar on 11/26/88.

As a result of the above subject, Pereira, was released from police custody. Prior to his release Pereira was interviewed and he denied having any knowledge of the victim or the incident itself. Pereira went on to state that he felt that Ramos was trying to frame him for something that he did not do and it seemed to him that Ramos was trying to hide something.

**Note: It was ascertained that Ramos had painted his Landau roof and door moldings red sometime in November or December of 87'.

Case Active:

Respectfully Submitted,

T.F. Sullivan QDA 804
Detective T. Sullivan Sh.#134



The Long Island Rail Road

INCIDENT NO. _____

POLICE DEPARTMENT

REFERENCE _____

TO: Det. Sgt. D. Urquhart Sh. #245

Date: Tues. 03/21/89

From: Det. T.F. Sullivan Sh. #134

Subject: Fernandes Homicide (Re:DD#1650-87)

On Saturday March 18, 1989 the undersigned Officer received a call from Detective J. Bisel of the NYPD 104 PDU relative to the Fernandes homicide. At this time the Queens Homicide office (ADA D. Dickman), is giving us the go-ahead to make the arrest of suspect Felipe Rodriguez M/H 23yrs. DOB 08/15/65. Rodriguez last resided at 635 Watkins Avenue Bklyn., NY/or 793 Hart St. Bklyn., NY..

In addition a second individual , identified as a Ramos M. Javier M/H 24yrs. DOB [REDACTED], is to be brought in as a possible material witness in regards to this investigation.

Detective J. Bisel is requesting that Det. Wendel and the undersigned Officer respond to the 104 PDU on Tuesday March 21, 1989 at 1600hrs to assist in the pick-up of the 02 above identified individuals.

Respectfully submitted

Det. T.F. Sullivan - #134

Det. T.F. Sullivan Sh. #134



The Long Island Rail Road

INCIDENT NO.

POLICE DEPARTMENT

REFERENCE

DD# 1650-87

TO: D. V. Urquhart, Sergeant of Detectives

Date: 03/29/89

From: Detectives Sullivan and Wendel

Subject: Case Review and Closing

On Monday, 03/27/89, a 16 month investigation into the homicide of Maureen Fernandez culminated in the arrest of Felipe Rodriguez for the homicide.

The investigation was a joint investigation between members of the LIRR Police Department and the 104 PDU. The joint investigation team, on Monday, 03/27/89, had a meeting at the 104 PDU and made final plans for the arrest of Rodriguez. Detectives Sullivan and Beisel responded to the Wyckoff Hospital and picked up security guard Javier Ramos at approximately 1530 hours. He was requested to and did return to the 104th Pct. by Detectives Sullivan and Beisel and a true and complete statement was obtained which detailed Felipe Rodriguez's involvement in the homicide. ADA Dickman was contacted and he responded to the precinct and interviewed Ramos along with Detective Sullivan concerning his knowledge of the homicide. He gave a written statement to ADA Dickman and Sullivan which he signed.

Detectives Wendel and Fennel responded to the 83rd Pct. where the suspect, Felipe Rodriguez, was located in the Auxiliary Police Office. He was requested to return to the 104 Pct. for further questioning and agreed to do so. He was taken to the 104 Pct. where he was given his rights and waived same. He was advised that he was under arrest for murder. During questioning he gave several negative exculpatory statements and then refused to answer any further questions.

The suspect was placed in a lineup and was positively identified as the person the deceased was with in the Gates Avenue Bar on Thursday morning, November 26, 1987. This was the last time the deceased was seen alive before her body, with 37 plus stab wounds, was found in the LIRR Fresh Pond Freight Yard parking area.

ADA Dickman prepared the affidavit, and Rodriguez was processed for the homicide of Maureen Fernandez. He was held for arraignment, and a grand jury is to be convened on Wednesday, 03/29/89, to hear the case.

The above is submitted for your information and review.

Dt 11/ Sullivan
Detective Sullivan

TS/eh
08691

QDA 801

9/25/88 Bohs

Where were you
on Thanksgiving
Eve - with my
wife
M. Loring, and
this I sign it
Please if you
Agree (right)

PLAINTIFF'S
EXHIBIT

H

Or may
remind your
right -

QDA 1407

Where were you
I don't remember,

Where you were
on Thanksgiving?
With my wife
& her family
They live at
house in Rosedale
149 - 20th Street

Did you remember
about 3 pm
No

QDA 1408

Car did I have
last Thanksgiving
Olds white
with red top

Do you know
who owns the car
now - Yes Pete
The Spat WH

Where did he
get the car?

From my step
brother

He bought the
car from him.

Did Piche ever
borrow the car
sure plenty of
times.
They are good
friends

Do you use the
car? Many times

On Thanksgiving
Day - No

White Shutter Bar
Yes - many times
Up about the
area of Hite's
& Evergreen Can
you discern it?
on the left side
of Evergreens
a grocery store
across the street

QDA 1411

a bar on the
other side near
houses.

Have you ever
been in the
bar? It's called
The little Eva?

No -
One time
Never -

No never.
It looks drug
What about

QDA 1412

Reichie - anything
to help us.

He like girls
all girls in the
Rosedale Park
visitors - he
wasn't choosy
He go after anything

I went to the
hosp everyday to
see J.C. That
is where I
would see

Reichie

QDA 1413

83 You complained
about you? Yes
after a fight
with regard
over "T" Not
a fight - pushing

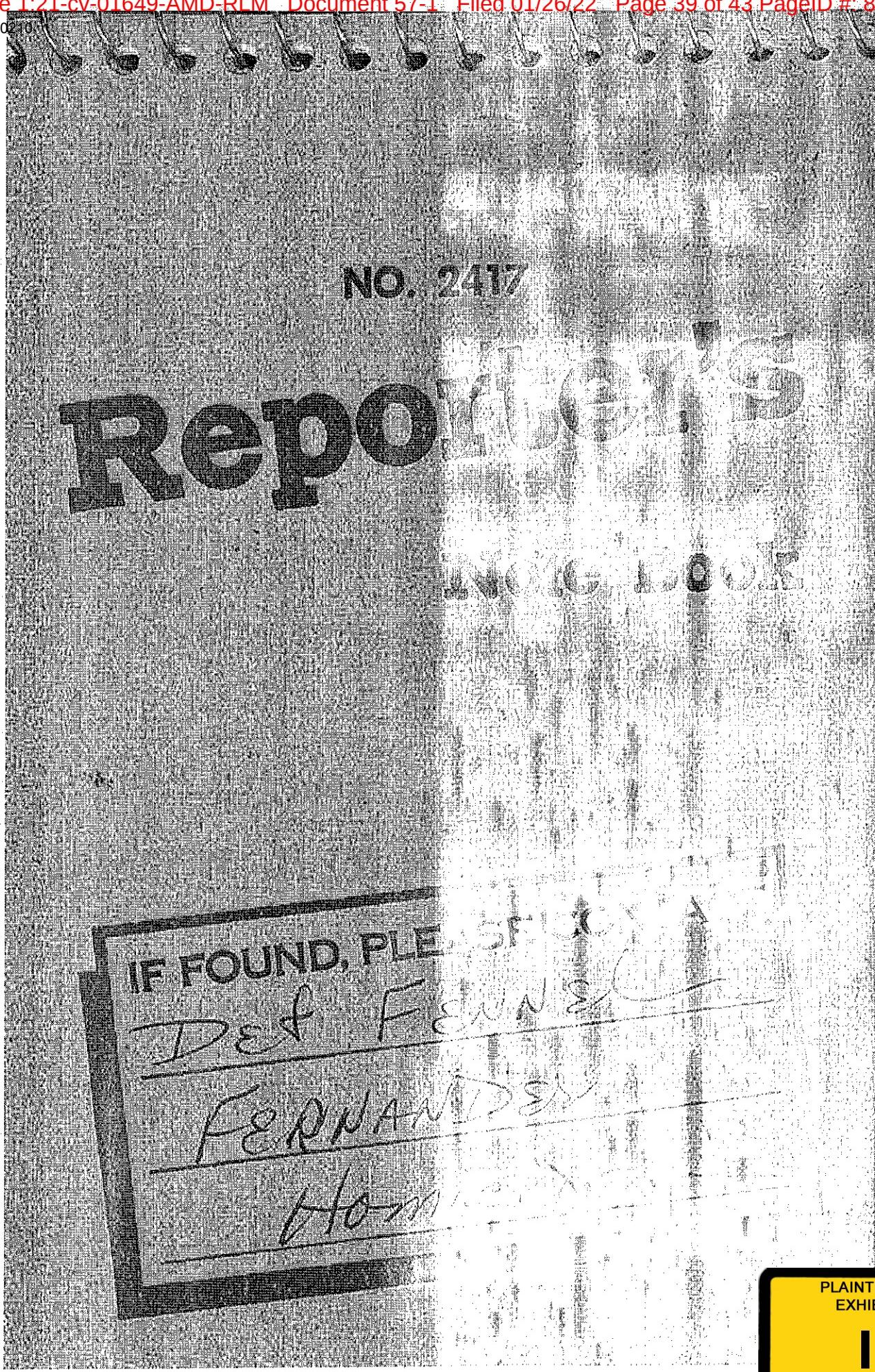
I like to go to
the morgue to
see the dead
bodies - The ones
from homicides
the messy one's

I like police
work - I am
going to become
a cop soon.

Mr. Ley was
asked when
Ramos told
him about
the mess in
the car? Two
weeks ago.
You are lying!

Mr. R asked if
he could call
James & ask
him. He said
he was told
James reason
was not jail if
he could talk
to J before
answering the
questions &
he was told
oh.

This ended the
inter.
Mr Rod was
driven home
at this time



PLAINTIFF'S
EXHIBIT

1

3/31/89 - 1915 hrs.

Interim

At

State that

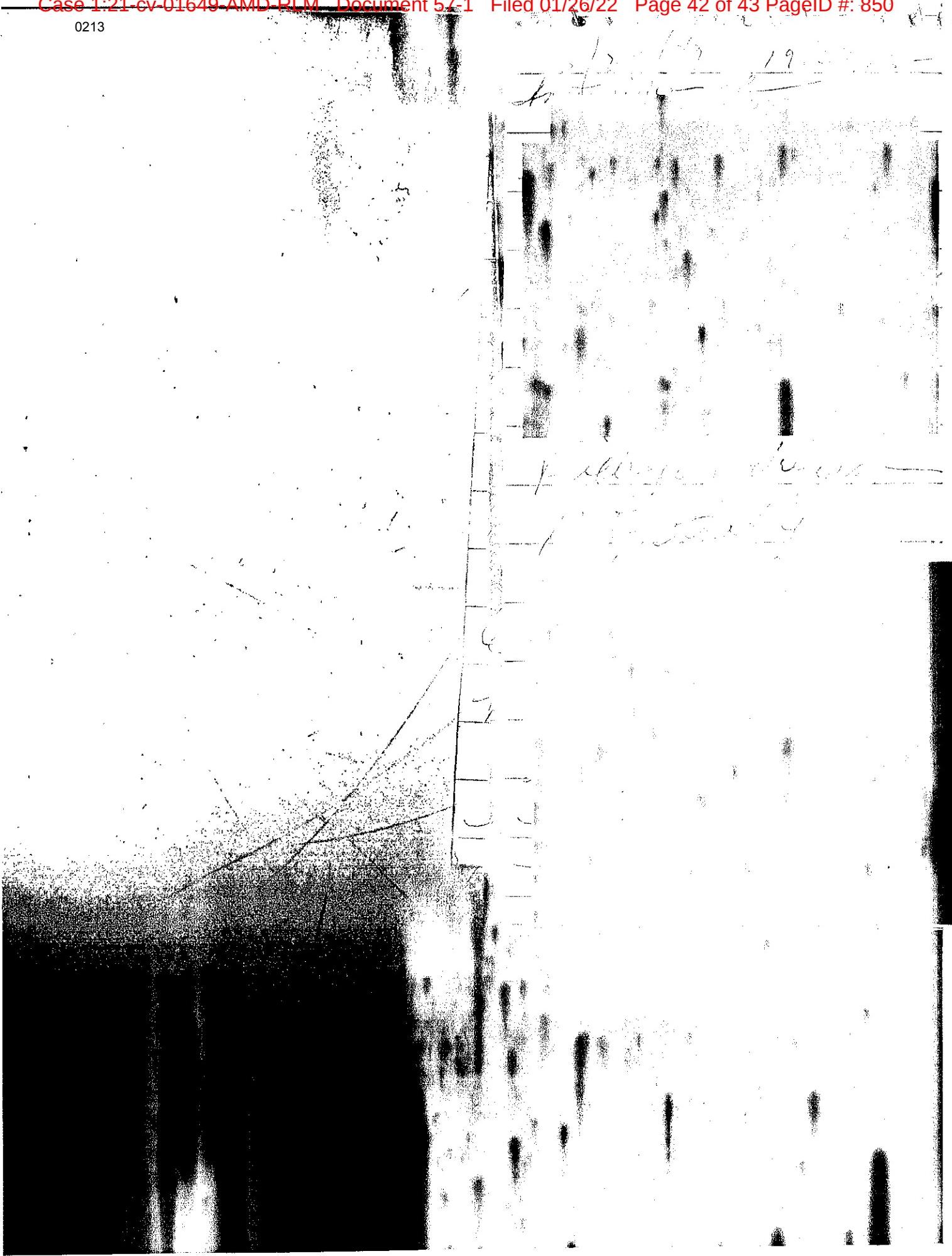
0212

State

State

Chancery Court
of for murder of

0213



0214

1/27/89
FBI - WFO, DC

A153 - 3/27/89.

FBI - WFO

DD-44-Rover - 3/27/89 -

IAD - Called

Spoke to Det. Domowicz

stated that Defendant

was not exonerated

so at this point stated

notification was not

necessary - send no

paperwork - Det. Jensen

104 SQD -